



AUSTIN CITY COUNCIL
MINUTES

REGULAR MEETING
THURSDAY, OCTOBER 5, 2006

Invocation: Deacon John De La Garza, Jr., University Catholic Center

The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed. The City Council of Austin, Texas, convened in a regular meeting on Thursday, October 5, 2006 in the Council Chambers of City Hall, 301 W. 2nd Street, Austin, Texas.

Mayor Wynn called the Council Meeting to order at 10:17 a.m.

CONSENT AGENDA

The following items were acted on by one motion. No separate discussion or action occurred on any of the items. The consent items were approved on Council Member Cole's motion, Mayor Pro Tem Dunkerley's second on a vote.

1. Approval of the minutes of the Austin City Council from the regularly scheduled meeting of September 28, 2006.
The minutes from the regularly scheduled meeting of September 28, 2006 were approved.
2. Authorize execution of a construction contract with THOMAS INDUSTRIAL COATINGS, INC., Pevely, MO, for the La Crosse Reservoir Recoating and Safety Improvements Project Rebid in an amount not to exceed \$1,593,981 plus a \$79,699.05 contingency, for a total contract amount not to exceed \$1,673,680.05. Funding is available in the Fiscal Year 2006-2007 Capital Budget of the Austin Water Utility. Recommended by the Water and Wastewater Commission.
The motion authorizing the execution of a construction contract was approved.
3. Authorize the negotiation and execution of agreement between the City of Austin ("City") and the University of Texas at Austin ("UT") concerning the conveyance of City water mains and appurtenances in the UT eastern campus area generally bordered by IH-35, Martin Luther King, Jr. Boulevard, Dean Keeton Street, and San Jacinto Boulevard. UT is responsible for the cost of constructing any necessary infrastructure to effectuate the agreement. Recommended by the Water and Wastewater Commission.
The motion authorizing the negotiation and execution of agreement was approved.
4. Authorize negotiation and execution of Renewal of and Amendment Two to the Interlocal Cooperation Agreement with Travis County for the provision of emergency medical services in Travis County to renew the agreement through Fiscal Year 2006-2007 and amend fees payable to City and certain exhibits. Funding from Travis County in the amount of \$9,841,875 was included in the Fiscal Year 2006-2007 Operating Budget of the Emergency Medical Services Department, as amended.
This item was postponed to October 19, 2006.

5. Authorize negotiation and execution of Renewal of and Amendment Two to the Interlocal Cooperation Agreement with Travis County for the provision of STAR Flight air ambulance services to renew the agreement through Fiscal Year 2006-2007 and amend the monthly fee payable to City and certain exhibits. Funding from Travis County in the amount of \$1,384,535 was included in the Fiscal Year 2006-2007 Budget of the Emergency Medical Services Travis County Reimbursed Fund.
This item was postponed to October 19, 2006.
 6. Approve a resolution declaring the City of Austin's official intent to reimburse itself from the proceeds of long-term tax-exempt debt to be issued by or on behalf of the City in an aggregate principal amount of \$33,000,000 for expenditures related to the design and construction of public infrastructure for the Mueller Redevelopment Project. \$33,000,000 in tax-exempt long-term debt expected to be issued by or on behalf of the City.
Resolution No. 20061005-006 was approved.
- Item 7 was pulled for discussion.**
8. Approve execution of a contract with FRONT STEPS INC., Austin, TX, for provision of homeless social services for the Austin Resource Center for the Homeless (ARCH), in an amount not to exceed \$2,018,835 for the period October 1, 2006 through September 30, 2007, with two 12-month extension options in an amount not to exceed \$2,069,306 for the first extension option; and \$2,121,039 for the second extension option, for a total contract amount not to exceed \$6,209,180. Funding in the amount of \$1,801,748 is available in the Fiscal Year 2006-2007 Operating Budget of the Health and Human Services Department, and funding in the amount of \$217,087 is available in the Fiscal Year 2006-2007 Operating Budget of the Health and Human Services Department Emergency Shelter Grant (ESG) Special Revenue Fund. Funding for the extension options is contingent on available funding in future budgets.
The motion authorizing the execution of a contract was approved.
 9. Approve an ordinance amending Ordinance No. 20060622-107 to correct a typographical error related to a site development regulation for property located at 3404 and 3406 Red River Street in the Hancock Neighborhood Plan area.
Ordinance No. 20061005-009 was approved.
 10. Approve an ordinance authorizing the execution of an Advanced Funding Agreement and acceptance of \$8,080,000 in funds from the Texas Department of Transportation (TxDOT); amend the Fiscal Year 2006-2007 Parks and Recreation Department Special Revenue Fund of Ordinance No. 20060911-001 to appropriate \$8,080,000 for construction of the Southern Walnut Creek Hike & Bike Trail project; and amend the Fiscal Year 2006-2007 Parks and Recreation Department Capital Budget of Ordinance No. 20060911-002 to appropriate \$8,080,000 from the Parks and Recreation Department Special Revenue Fund for the Southern Walnut Creek Hike & Bike Trail project. Funding in the amount of \$8,080,000 is available from the Texas Department of Transportation (TxDOT); funding for the City's required match in the amount of \$2,020,000 is available the Fiscal Year 2006-2007 Parks and Recreation Department Capital Budget.
Ordinance No. 20061005-010 was approved.
 11. Approve an ordinance amending Chapter 4-9 of the City Code relating to regulation of alcoholic beverages.
Ordinance No. 20061005-011 was approved.
 12. Authorize execution of a construction contract with MUNIZ CONCRETE AND CONTRACTING, INC., (MBE/MH 89.54%), Austin, TX, for ADA Sidewalk and Ramp Improvements 2007 City Wide Group 5

in the amount of \$3,517,197.25 plus a \$351,719.72 contingency, for a total contract amount not to exceed \$3,868,916.97. Funding in the amount of \$3,868,916.97 is available in the Fiscal Year 2006-2007 Capital Budget of the Public Works Department. Only one bid received. 6.03% MBE and 4.44% WBE subcontractor participation.

The motion authorizing the execution of a construction contract was approved.

13. Approve an ordinance amending the Fiscal Year 2006-2007 Public Works Department Capital Budget of Ordinance No. 20060911-002 to appropriate \$800,000 in grant funds received from the Texas Department of Transportation for bike lane improvements on Lake Austin Boulevard from Exposition Boulevard to Red Bud Trail. The total grant amount of \$800,000 will be provided by TxDOT. The required \$220,000 local match is available in the Fiscal Year 2006-2007 Capital Budget of the Public Works Department. (Related to item # 14)

Ordinance No. 20061005-013 was approved.

14. Authorize negotiation and execution of an Interlocal Agreement between the City and the Texas Department of Transportation (TxDOT) for design and construction of bike lane improvements on Lake Austin Boulevard from Exposition Boulevard to Red Bud Trail. The total grant amount of \$800,000 will be provided by TxDOT. The required \$220,000 local match is available in the Fiscal Year 2006-2007 Capital Budget of the Public Works Department. (Related to item # 13)

The motion authorizing the negotiation and execution of an interlocal agreement was approved.

15. Approve an ordinance amending the Fiscal Year 2006-2007 Public Works Department Capital Budget of Ordinance No. 20060911-002 to appropriate \$1,600,000 in grant funds received from the Texas Department of Transportation to fund a bikeway from Daffan Lane to the City of Manor. The total grant amount of \$1,600,000 will be provided by TxDOT. The required \$440,000 local match is available in the Fiscal Year 2006-2007 Capital Budget of the Public Works Department. (Related to item #16)

Ordinance No. 20061005-015 was approved.

16. Authorize negotiation and execution of an Interlocal Agreement between the City and the Texas Department of Transportation (TxDOT) for design of a bikeway and construction of a portion of this bikeway in a Capital Metropolitan Transportation Authority (CMTA) railroad right-of-way between Daffan Lane and the City of Manor. The total grant amount of \$1,600,000 will be provided by TxDOT. The required \$440,000 local match is available in the Fiscal Year 2006-2007 Capital Budget of the Public Works Department. (Related to item # 15)

The motion authorizing the negotiation and execution of an interlocal agreement was approved.

Item 17 was pulled for discussion.

18. Approve an ordinance to amend Section 12-4-63 of the City Code to establish a 20 miles per hour school zone on a portion of East 6th Street for the University Charter School; and to provide for emergency passage. Funding in the amount of \$8,000 is available in Fiscal Year 2006-2007 Operating Budget of the Public Works Department for the installation of necessary signs.

Ordinance No. 20061005-018 was approved.

19. Authorize award and execution of a contract with KORTERRA INCORPORATED, Chanhassen, MN, for the purchase of KorTerra utility industry software hosting, installation and training fees in an amount not to exceed \$60,000. Funding is available in the fiscal Year 2006-2007 Approved Operating Budget of Austin Energy. Sole Source. This purchase will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The motion authorizing the award and execution of a contract was approved.

20. Authorize award and execution of Amendment No. 2 to the 60-month service contract through the State of Texas Multiple Awards Schedule (TXMAS) with XEROX CORPORATION, Austin, TX, for the lease of multi-function business machines and maintenance services to increase the contract in an estimated amount not to exceed \$1,522,246.95, for a revised total estimated contract amount not to exceed \$2,821,047.45. Funding in the amount of \$365,339.27 is available in the Fiscal Year 2006-2007 Operating Budget of Austin Energy. Funding for the remaining 38 months of the original contract period is contingent upon approval of future budgets. Contract Amendment.
The motion authorizing the award and execution of amendment number 2 was approved.
21. Authorize award, negotiation, and execution of a 36-month requirements service contract with RETRIEVER PAYMENT SYSTEMS INC., Houston, TX, for Visa and MasterCard credit card processing services in an estimated amount not to exceed \$1,017,194, with three 12-month extension options in an estimated amount not to exceed \$438,036 for the first extension option, \$498,762 for the second extension option, and \$567,580 for the third extension option, for an estimated total contract amount not to exceed \$2,521,572. Funding in the amount of \$339,064.68 is available in the Fiscal Year 2006-2007 Operating Budgets of various departments. Funding for the remaining 24 months of the original contract period and extension options is contingent upon available funding in future budgets. Best evaluated proposal of eight proposals received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
This item was postponed to October 19, 2006.
22. Authorize award and execution of a 36-month requirements service contract with ST. DAVID'S OCCUPATIONAL HEALTH SERVICES, Austin, TX for employee immunization services in an estimated amount not to exceed \$235,755, with three 12-month extension options in an estimated amount not to exceed \$78,585 per extension option, for a total estimated contract amount not to exceed \$471,510. Funding in the amount of \$40,450 is included in the Fiscal Year 2006-2007 Operating Budget of the Financial and Administrative Services Department. Funding in the amount of \$38,135 is included in the Fiscal Year 2006-2007 Operating Budget of the Solid Waste Services Department. Funding for the remaining 24 months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bid of two bids received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
The motion authorizing the award and execution of a requirements service contract was approved.
23. Approve third reading of an ordinance granting a franchise agreement to Texas Gas Service, a division of ONEOK, Inc. to provide natural gas distribution services. Funding in the amount of \$6,548,600 in Franchise Fee Revenue was included in the Fiscal Year 2006-2007 Approved Budget. Presented to Council Subcommittee for Emerging Technology and Telecommunications prior to first reading.
Ordinance No. 20061005-023 was approved.
24. Approve an ordinance waiving the development regulations of Ordinance No. 20060309-058 to allow the construction of a duplex at 1205 Norwalk Lane, Austin, TX.
Ordinance No. 20061005-024 was approved.
25. Approve an ordinance waiving the development regulations of Ordinance No. 20060309-058 to allow the construction of a duplex at 508 Sunny Lane, Austin, TX.
Ordinance No. 20061005-025 was approved.

26. Approve an ordinance waiving the development regulations of Ordinance No. 20060309-058 to allow the construction of an addition to an existing single family residence at 607 Theresa Avenue, Austin, TX. **Ordinance No. 20061005-026 was approved.**
27. Approve appointments to citizen board and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members.
The following appointments were made:

<u>Board/ Appointee</u>	<u>Consensus/ Council Nominee</u>	<u>Appointment/ Reappointment</u>
<u>Animal Advisory Commission</u> Babette Ellis	Council Member Leffingwell's	Appointment
<u>Arts Commission</u> Bruce Willenzik	Council Member Leffingwell's	Appointment
<u>Commission for Women</u> Rena Cotton	Council Member Cole's	Appointment
<u>Commission on Immigrant Affairs</u> Jose Fuentes	Consensus	Reappointment
<u>Construction Advisory Commission</u> Conrad Masters	Mayor Wynn's (<i>Labor representative</i>)	Reappointment
<u>Design Commission</u> Perry Lorenz	Council Member Leffingwell's	Reappointment
<u>Downtown Austin Community Court Advisory Committee</u> Robert Chapa, Jr.	Consensus	Reappointment
<u>Electric Utility Commission</u> Gregg Knaue	Council Member McCracken's	Reappointment
<u>Ethics Review Commission</u> Louis Bacarisse	Consensus	Confirmation
Maria Johnson	Consensus (<i>League of Women Voters representing</i>)	Confirmation
Lisa Tsai	Council Member Kim's	Nomination
<u>MHMR Board of Trustees</u> Robert Chapa, Jr.	Consensus	Reappointment
Toni Inglis	Consensus	Reappointment
<u>Mayor's Committee for People with Disabilities</u> Aylssa Eacono	Mayor Wynn's	Appointment
<u>Music Commission</u> Mary Ermel	Council Member Kim's	Appointment

28. Approve a resolution directing the City Manager to develop accountability guidelines for the affordable housing bonds set for the November 7, 2006 City bond election. (Mayor Pro Tem Betty Dunkerley, Council Member Mike Martinez and Council Member Sheryl Cole)
Resolution No. 20061005-028 was approved.
29. Approve a resolution directing the City Manager to include the Saltillo Plaza Transit Oriented Development in Phase I of the Station Area Plan planning schedule. (Council Member Mike Martinez and Council Member Brewster McCracken)
Resolution No. 20061005-029 was approved.

Item 30 was pulled for discussion.

31. Authorize designation of September 10, 2006, as the Save Our Springs Alliance Free Swim Day. (Council Member Lee Leffingwell and Council Member Mike Martinez)
The motion authorizing the designation of September 10, 2006 as the Save Our Springs Alliance Free Swim Day was approved.
32. Approve waiver of facility rental fees and payment of certain costs for Leadership Austin's Alumni Event to be held at the Carver Museum on October 11, 2006. (Council Member Lee Leffingwell and Council Member Mike Martinez)
The motion authorizing the waiver of facility rental fees and payment was approved.
33. Authorize waiver of fees and payment of costs for the National Alliance on Mental Illness' (NAMI) Walk for the Mind of America to be held on November 18, 2006. (Mayor Pro Tem Betty Dunkerley, Council Member Lee Leffingwell and Council Member Brewster McCracken)
The motion authorizing the waiver of fees and payment of costs was approved.
34. Approve reimbursement of fees and certain requirements under Chapter 14 of the Code for the Pecan Street Association, Incorporated's Fall Pecan Street Festival which was held September 30 – October 1, 2006. (Council Member Jennifer Kim, Council Member Sheryl Cole and Council Member Mike Martinez)
The motion authorizing the reimbursement of fees and certain requirements was approved.
35. Approve reimbursement of certain fees for the Austin Found, Incorporated's Austin Found Event to be held on October 8, 2006. (Council Member Brewster McCracken, Council Member Jennifer Kim and Mayor Will Wynn)
The motion authorizing the reimbursement of certain fees was approved.
36. Authorize reimbursement of police costs for the 2006 Allandale Fourth of July Parade, which was held on July 4, 2006. (Council Member Brewster McCracken, Mayor Pro Tem Betty Dunkerley and Council Member Lee Leffingwell)
The motion authorizing the reimbursement of police costs was approved.
37. Set public hearings to receive public comment on issues related to the full purpose annexation of the Anderson Mill Road annexation area (approximately 183 acres located on Anderson Mill Road approximately two thirds of a mile east of the intersection of FM 620 and Anderson Mill Road). Full purpose annexation is anticipated in December 2008 in accordance with the City's Municipal Annexation Plan. Suggested dates and times: October 30, 2006 at 6:30 pm., Hope Presbyterian Church, 11512 Olson Dr, Austin, Texas; and November 2, 2006 at 6:00 p.m., City Hall Council Chambers, 301 West Second Street.

The public hearings were set for October 30, 2006 at 6:30 p.m., Hope Presbyterian Church, 11512 Olson Dr., Austin, Texas, and November 2, 2006 at 6:00 p.m., City Hall Council Chambers, 301 West Second Street.

Items 38 through 41 were Executive Session items.

Item 42 was a briefing set for 2:00 p.m.

Items 43 through 51 were zoning items set for 4:00 p.m.

Items 52 through 53 were public hearings set for 6:00 p.m.

DISCUSSION ITEMS

7. Approve an ordinance amending Title 3 of the City Code relating to animal regulation and care. Recommended by the Animal Advisory Commission.
Ordinance No. 20061005-007 was approved with the following amendments on Council Member Martinez' motion, Council Member Kim's second on a 7-0 vote. The amendments are: Section 3-1-29, should read, "The city manager or the manager of animal shelter may sterilize an animal if it has been impounded two or more times." Section 3-2-6, (A), (2), should read, "if the animal transported in an unenclosed vehicle, including a convertible, pick-up truck, flatbed truck, or motorcycle, the animal shall be confined in a secure and appropriately sized, vented container or confined in a manner that prevents the animal from falling or jumping from the vehicle or otherwise being injured."

Mayor Wynn recessed the Council Meeting to go into Executive Session at 11:11 a.m.

EXECUTIVE SESSION

The City Council went into Executive Session, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda and to receive advice from Legal Counsel regarding any other item on this agenda.

38. Discuss legal issues related to The Heritage Neighborhood Association and Simon Atkinson v. Buckingham Investments, Ltd. and City of Austin; Cause No. D-1-GN-06-001212, in the 53rd Judicial District Court of Travis County, Texas (concerns the applicable site development regulations) (Private Consultation with Attorney – Section 551.071)

Items 39 through 41 were discussed later in Executive Session.

Executive Session ended and Mayor Wynn called the Council Meeting back to order at 12:04 p.m.

CITIZEN COMMUNICATIONS: GENERAL

Jim Lloyd - Police, Resources and Funding

Julie Reese - Police, Resources and Funding

Mary Krennek - Blues on the Green

Trek English - Walnut Creek. He was not present when his name was called.

Pat Johnson - City Issues. He was not present when his name was called.

Dr. Lawrence Cranberg - Cold Cases Renamed

William David Plasky - Malicious Possible Felonious Refusal/ M.A.P. Treating Hemalytic Disease. He was not present when his name was called.

Paul Robbins - City Issues. He was not present when his name was called.

Nailah Sankofa - Art Funding & First Night Austin. She was not present when her name was called.

Griselda Rodriquez - Housing Development in Frontier Valley Off Montopolis. She was not present when her name was called. Rebecca Hernandez spoke in her place.

Rebecca Hernandez - Housing Development in Frontier Valley Off Montopolis.

Mayor Pro Tem Dunkerley recessed the Council Meeting to go into Executive Session at 12:26 p.m.

EXECUTIVE SESSION CONTINUED

39. Discuss legal issues regarding the condemnation of land near the Austin Bergstrom International Airport. (Private Consultation with Attorney - Section 551.071)
40. Discuss the exchange, lease, purchase, value, or condemnation of land near the Austin Bergstrom International Airport. (Real Property - Section 551.072)
41. Discuss legal issues related to the Downtown Austin Plan. (Private Consultation with Attorney - Section 551.071)(Related to item #17 and item #42)

Executive Session ended and Mayor Wynn called the Council Meeting back to order at 2:46 p.m.

BRIEFINGS

42. Presentation by finalists on the Proposed Downtown Master Plan. (Related to item #17 and item #41)
The presentation was made by EDAW and ROMA: The EDAW group was represented by Barbara Faga, Executive Vice President/Principal of EDAW Inc and Gerald, M. Trimble, Managing Principal of Keyser Marston Associates. The ROMA group was represented by James B. Adams, Principal of ROMA Design Group; John H. Alschuler, Jr., President of Hamilton, Rabinovitz & Alschuler, Inc.; and Diana McIver, President of Diana McIver & Associates, Inc.

DISCUSSION ITEMS CONTINUED

17. Authorize negotiation and execution of a professional services agreement with ROMA DESIGN GROUP, San Francisco, CA, or alternate firm CRANDALL ARAMBULA PC, Portland, OR, or second alternate EDAW, INC., Denver, CO, for professional planning services for Downtown Austin Plan-Reissue in an amount not to exceed \$600,000. Funding is available in the Fiscal Year 2006-2007 Capital Budget of the Neighborhood Planning and Zoning Department. Best qualification statement of seven received. 16.50% MBE and 15.20% WBE subconsultant participation. (Related to items #41 and #42)

The motion authorizing the negotiation and execution of a professional services agreement with ROMA Design Group, was approved on Council Member McCracken's motion, Council Member Kim's second on a 6-0 vote. Council Member Martinez abstained.

ZONING CONSENT ITEMS

The following zoning items were acted on by one motion. No separate discussion or action occurred on any of the items. The consent items were approved on Mayor Pro Tem Dunkerley's motion, Council Member Cole's second on a 6-0 vote. Council Member Martinez was off the dais.

43. C14-05-0151 - Flex 15 - Approve second reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 8420 Longview Road (Williamson Creek Watershed-Barton Springs Zone; South Boggy Creek Watershed) from rural residence (RR) district zoning to townhouse and condominium residence (SF-6) district zoning. On March 23, 2006, the Council approved single-family residence-small lot-conditional overlay (SF-4A-CO) combining district zoning with conditions on first reading. Vote: 7-0. Applicant: Flex Realty (Brett Vance). Agent: Jim Bennett Consulting (Jim Bennett). City Staff: Wendy Walsh, 974-7719. A valid petition has been filed in opposition to this rezoning request.
The second reading of the ordinance for townhouse and condominium residence (SF-6) district zoning with a conditional overlay limiting the development to 130 units was approved.
44. C14-06-0154 - The Domain - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 10701 North MoPac Expressway (Walnut Creek/Shoal Creek Watershed) from major industrial-planned development area (MI-PDA) combining district zoning to major industrial planned development area (MI-PDA) combining district zoning to change a condition of zoning. First reading approved on September 28, 2006. Vote: 7-0. Applicant: The Domain Shopping Center, L.P. (Tom Schneider). Agent: Drenner, Golden, Stuart, Wolff, L.L.P. (Michelle Haussmann). City Staff: Jorge E. Rousselin, 974-2975.
Ordinance No. 20061005-044 changing a condition of zoning was approved.

ZONING CONSENT ITEMS

The following zoning items were acted on by one motion. No separate discussion or action occurred on any of the items. The public hearings were closed and consent items were approved on Council Member Leffingwell's motion, Mayor Pro Tem Dunkerley's second on a 5-0 vote. Council Members Martinez and McCracken were off the dais.

45. C14-06-0155 - Gustafson Zoning Change - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3329 Hackamore Drive (Slaughter Creek Watershed - Barton Springs Zone) from interim-rural residence (I-RR) district zoning to family residence (SF-3) district zoning. Staff Recommendation: To grant single-family residence-standard lot-conditional overlay (SF-2-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant single-family residence-standard lot-conditional overlay (SF-2-CO) combining district zoning. Applicant: Jan G. Sheppard. Agent: Shaw Hamilton Consultants (Shaw Hamilton). City Staff: Wendy Walsh, 974-7719.
Ordinance No. 20061005-045 for single-family residence-standard lot-conditional overlay (SF-2-CO) combining district zoning was approved.
46. C14-06-0167 - 13205 U.S. Highway 183 North - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 13205 U.S. Highway 183 North (Lake Creek Watershed) from community commercial (GR-CO) combining district

zoning to commercial-liquor sales (CS-1)district zoning. Staff Recommendation: To grant commercial-liquor sales-conditional overlay (CS-1-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant commercial-liquor sales-conditional overlay (CS-1-CO) combining district zoning. Applicant: Merced and Draciela U. Benitez. Agent: Lenworth Consulting (Nash Gonzales). City Staff: Sherri Sirwaitis, 974-3057.

Ordinance No. 20061005-046 for commercial-liquor sales-conditional overlay (CS-1-CO) combining district zoning was approved.

47. C14-06-0179 - Amended Plat of Lots 88-A & 89-A Westminster Glen - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 9914 Westminster Glen Avenue (Turkey Creek Watershed) from development reserve (DR) district zoning to rural residence (RR) district zoning. Zoning and Platting Commission Recommendation: to grant rural residence (RR) district zoning. Applicant: Alan and Wendy Topfer. Agent: C. Faulkner Engineering (Garret Bonn). City Staff: Jorge E. Rousselin, 974-2975.

Ordinance No. 20061005-047 for rural residence (RR) district zoning was approved.

48. C14-06-0120 - Martin 1 & 2 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 101-103 East Braker Lane (Shoal Creek Watershed) from limited office (LO) district zoning to neighborhood commercial (LR) district zoning. Staff Recommendation: To deny neighborhood commercial (LR) district zoning. Zoning and Platting Commission Recommendation: To deny neighborhood commercial (LR) district zoning. Applicant: Billie A. Martin. Agent: Jim Bennett. City Staff: Jorge E. Rousselin, 974-2975.

This item was postponed to October 19, 2006 at the applicant's request.

50. C14-06-0134 - Lake Line Austin Development, Ltd.; Lakeline Commons - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as North F.M. 620 Road and Ridgeline Boulevard (Lake Creek Watershed) from commercial highway (CH) district zoning; general commercial services (CS) district zoning; community commercial services-conditional overlay (GR-CO) combining district zoning; and limited office-conditional overlay (LO) combining district zoning to community commercial-mixed use (GR-MU) combining district zoning. Staff recommendation: To grant community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning for Tract 1 and limited office-conditional overlay (LO-CO) combining district zoning for Tract 2. Applicant: PSI (Ralph Reed). Agent: Shaw Hamilton Consultants (Shaw Hamilton). City Staff: Sherri Sirwaitis, 974-3057.

This item was postponed to October 19, 2006 at the applicant's request.

ZONING DISCUSSION ITEMS

49. C14-06-0128 - Austex/Reeves - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 403 East Braker Lane (Walnut Creek Watershed) from community commercial-conditional overlay (GR-CO) combining district zoning to community commercial-conditional overlay (GR-CO) combining district zoning to change a condition of zoning. Staff Recommendation: To grant neighborhood commercial-conditional overlay (LR-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning to change a condition of zoning. Applicant: Austex Body & Paint (Henry Jones.) Agent: Jim Bennett. City Staff: Jorge E. Rousselin, 974-2975.

The public hearing was closed and Ordinance No. 20061005-049 changing a condition of zoning was approved on Mayor Pro Tem Dunkerley's motion, Council Member Cole's second on a 7-0 vote.

Mayor Wynn recessed the Council Meeting at 5:35 p.m.

LIVE MUSIC

Band of Heathens

PROCLAMATIONS

Proclamation -- International Brotherhood of Electrical Workers Union, Local 520, 100th Anniversary -- to be presented by Mayor Will Wynn and to be accepted by David Adamson

Proclamation -- Arbor Day -- to be presented by Mayor Will Wynn and to be accepted by Jay Culver

Proclamation -- Seal Across Texas (National Dental Hygiene Month)--to be presented by Mayor Will Wynn and to be accepted by Sheryl Cole

Proclamation -- Polish Film Festival -- to be presented by Mayor Will Wynn and to be accepted by Mark Hall and Jennifer Harris

Proclamation -- Down Syndrome Awareness Month -- to be presented by Council Member Lee Leffingwell and to be accepted by Lori Tullos Barta

Proclamation -- Habitat for Humanity's Builder Blitz -- to be presented by Mayor Pro Tem Betty Dunkerley and to be accepted by Paul Hilgers and Juan Garza

Presentation to the City to be made by Saltillo Sister Cities Committee Members Gloria Mata Pennington and Victor Ovalle

Mayor Wynn called the Council Meeting back to order at 6:34 p.m.

51. C14H-05-0017 – Baugh-Colby House - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1102 Enfield Road (Shoal Creek Watershed) from multi-family residence-medium density-neighborhood plan (MF-3-NP) combining district zoning to multi-family residence-medium density-historic-neighborhood plan (MF-3-H-NP) combining district zoning. Staff Recommendation: To grant multi-family residence-medium density-historic-neighborhood plan (MF-3-H-NP) combining district zoning. Planning Commission Recommendation: To grant multi-family residence-medium density-historic-neighborhood plan (MF-3-H-NP) combining district zoning. Applicant: Historic Landmark Commission. City Staff: Steve Sadowsky, 974-6454

The motion to close the public hearing and postpone action to October 19, 2006 was approved on Council Member McCracken's motion, Mayor Pro Tem Dunkerley's second on a 7-0 vote. Staff was instructed to investigate multi family designs using Historic District Design Guidelines, to provide those guidelines to the owner and the neighborhood, and to get copies of the owner's reports concerning the structural deficiencies of the house for staff's review and recommendations.

PUBLIC HEARINGS

52. Conduct a public hearing and approve an ordinance amending Section 25-2-766.04(A) and Chapter 25-2, Appendix D of the City Code to establish Highland Mall and South IH-35 TOD districts. (Recommended by Planning Commission.)

The public hearing was closed and Ordinance No. 20061005-052 was approved on Council Member Martinez' motion, Council Member Leffingwell's second on a 6-0 vote. Council Member Kim was off the dais.

53. Conduct a public hearing and consider a request for a waiver from the minimum distance requirement of City Code, Section 4-9-4(A) which requires 300 feet between a business that proposes to sell alcoholic beverages at 906 West Lynn Street ("Galaxy Cafe") and a public school, Mathews Elementary School, at 1111 West 6th Street, Austin, TX
The public hearing was closed and Resolution No. 20061005-053 was approved on Council Member Leffingwell's motion, Council Member Cole's second on a 7-0 vote.

DISCUSSION ITEMS CONTINUED

30. Approve a resolution directing the Austin Ethics Review Commission to make determinations and recommendations for amendments to Chapter 2-7 of the City Code and other City ordinances, relating to City Council reporting standards, outside employment, benefits, compensation and conflicts standards. (Council Member Brewster McCracken, Mayor Will Wynn and Mayor Pro Tem Betty Dunkerley)
This item was postponed indefinitely and withdrawn from the agenda on Council Member Martinez' motion, Mayor Wynn's second on a 6-0 vote. Council Member Leffingwell abstained.

Mayor Wynn adjourned the meeting at 7:49 p.m. without objection.

The minutes for the Regular Meeting of October 5, 2006 were approved on this the 19th day of October, 2006 on Mayor Pro Tem Dunkerley's motion, Council Member McCracken's second on a 7-0 vote.